

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

**M.A. NO. 674/2013 & M.A. NO. 692/2013**

**IN**

**Original Application No. 19(T<sub>HC</sub>) of 2013**

**Court On Its Own Motion Vs. State of Punjab**

**CORAM :** HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE PROF. (DR.) P.C. MISHRA, EXPERT MEMBER  
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

**Present:** Applicant in M.A. No.673/2013: Mr. Aman Preet Singh Rahi, Adv.  
Respondent Nos. 1&2: Mr. Anil Soni, Advocate  
Respondent No. 3: Mr. A.R. Takkar, Advocate along with Ms. Saumya Jain, Advocate and Mr. Babu Ram, Member Secretary, PPCB  
Mr. Sumit Sharma, Advocate for Pollution Control Committee, Amritsar

| <b>Date and Remarks</b>                      | <b>Orders of the Tribunal</b>   |
|--|---|
| <b>Item No. 9<br/>September 11,<br/>2013</b> | <p>In furtherance to the Order of the Tribunal, the Committee constituted has filed final Report and a supplementary Report.</p> <p>We have perused both these Reports, it appears that underground water is being highly contaminated by:-</p> <ol style="list-style-type: none"><li>a) Indiscriminate discharge of trade effluents directly into the underground water;</li><li>b) Leakage from the sewage system;</li><li>c) Use of soak pits; and</li><li>d) Lack/non-availability of STPs.</li></ol> <p>These, amongst the other, are the preliminary sources of contamination of underground water in the State of Punjab, more particularly in Districts of Amritsar and Ludhiana. The Committee further specifically points out that the parameters of the underground water are much in excess of the prescribed limits and are very heavily injurious to human health. Thus, it is a matter which cannot be ignored any longer. In fact, it should have got the attention of the concerned Authorities in the State of Punjab and appropriate steps should have been taken to prevent pollution of the underground water as well as to prevent damage to public health. Be that as it may. We would pass the following directions:-</p> |

1. The Secretary, Health, State of Punjab along with Secretary, Local Government, Secretary Environment, Member Secretary of the Punjab Pollution Control Board and the Committee constituted by this Tribunal, which has submitted the above two Reports, shall meet within a period of two weeks from today. The Committee shall peruse the final as well as supplementary Reports as submitted, which shall be provided by Dr. Thakur to these Secretaries within one week from today.
2. After perusal, this Committee shall state a complete and comprehensive scheme in regard to prevention as well as control of contamination of underground water and damage to the public health and what steps have been taken, which are physically available on the respective sites, should be stated.
3. This Committee shall state without ambiguity the immediate steps which are required to be taken for the purposes of prevention and control of underground water pollution as well as prevention of damage to public health. This Report should be submitted before the Tribunal at least 3 days in advance to the next date of hearing.
4. The Secretary, Health shall be the Chairperson of this Committee and would ensure the compliance of the Order of the Tribunal.

We are hopeful that the above Senior Officers of State of Punjab would give no opportunity to the Tribunal to pass any coercive order as public health must get preference over all matters of State Administration. It is unfortunate but true that large number of persons have suffered from serious diseases in Districts of Amritsar and Ludhiana and the underground water is totally contaminated even as of today as is exhibited from the samples that were taken under the Orders of the Tribunal. There is a dire need for directing the concerted efforts in this direction to prevent future damage. Copy of this Order be sent to the Chief Secretary of State of Punjab as well as the Learned counsel appearing for the parties.

Stand over to 11<sup>th</sup> October, 2013.

.....,CP  
(Swatanter Kumar)

.....,EM  
(Dr. D.K. Agrawal)

.....,EM  
(Prof. (Dr.) P.C. Mishra)

.....,EM  
(Dr. R.C. Trivedi)

